

### **REMARKS**

Claims 1- 7, 9-16, 19, 20, and 24 are cancelled without prejudice. Claims 25-34 are added. No new matter has been introduced into the patent application by these amendments. Claims 8, 17, 18, 21-23, and 25-34 are currently pending in the application.

Claim 1-5, 9-13, 16, and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Morris et al. (US 6,665,010; hereinafter “Morris”) in view of Abe (US 6,747,698). Claims 19 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Abe and further in view of Takada et al. (US 6,831,691; hereinafter “Takada”). These rejections are moot in light of the cancellation of these claims.

Claims 8, 17-18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Takada et al. (US 6,831,691; hereinafter “Takada”). Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Takada and further in view of Abe. Applicant respectfully requests reconsideration of the application.

#### **Morris and Takada**

Independent claims 8 and 17 recite “an integration time control line for each row of pixels, wherein each integration time control line is routed to a portion of the pixels in one row and to a portion of the pixels in an adjacent row” to produce output signal values having signals that are generated from pixels within at least two physically separate rows within the array. Nothing found in Morris and Takada teaches or suggests this aspect of the claimed invention.

The Examiner argues claims 8 and 17 are obvious because Morris independently sets the duration of the integration interval that is used for each group and Takada includes an integration time control line for each row of pixels. As noted by the Examiner on page 3 of the office action, Morris does not disclose an integration time control line for each row of pixels, with each integration time control line routed to a portion of the pixels in one row and to a portion of the

pixels in an adjacent row. And although the image sensor in Takada includes an integration time control line Lint, Takada expressly states the integration time is completely equal for each pixel for those embodiments that use Lint (see col. 12, lines 53-57 for figure 4 embodiment, col. 14, lines 11-15 for figure 5 embodiment, col. 14, lines 33-36 for figure 6 embodiment, col. 17, lines 2-5 for figure 9 embodiment, col. 18, lines 12-15 for figure 10 embodiment, and col. 18, lines 56-59 for figure 11 embodiment). Thus, Morris and Takada are incompatible in that Morris teaches different integration times and Takada identical integration times.

Moreover, nothing in Morris and Takada suggests routing an integration time control line for each row of pixels to a portion of the pixels in one row and to a portion of the pixels in an adjacent row. Morris teaches each pixel monitors its indicated intensity and notifies a time measurement circuit when the indicated intensity exceeds a predetermined intensity threshold (see col. 4, lines 9-37). Thus, Morris does not need to use integration time control lines to control the integration times of the groups of pixels. And Takada uses a single integration time control line to cause each pixel in the array to have identical integration times.

Therefore, for at least the following reasons, the combination of Morris and Takada does not render independent claims 8 and 17 obvious.

"If an independent claim is not rendered obvious by prior art, then any claim depending from the independent claim is not obvious. " In re Fine, 5 USPQ2d 1596 (Fed. Cir. 1988). Claims 23 depends from independent claim 8, while claim 18 depends from independent claim 17. Since the combination of Morris and Takada does not render independent claims 8 and 17 obvious, dependent claims 18 and 23 are also not obvious in view of Morris and Takada.

#### Morris, Takada, and Abe

Applicant's remarks regarding Morris and Takada apply to this rejection as well. Nothing found in Morris and Takada teaches or suggests "an integration time control line for each row of pixels, wherein each integration time

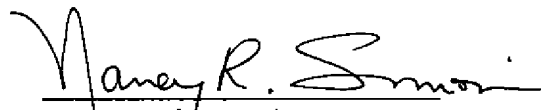
control line is routed to a portion of the pixels in one row and to a portion of the pixels in an adjacent row" to produce output signal values having signals that are generated from pixels within at least two physically separate rows within the array. And Abe does not make up for the deficiencies of Morris and Takada. Therefore, for at least this reason, the combination of Morris, Takada, and Abe does not render independent claim 8 obvious.

"If an independent claim is not rendered obvious by prior art, then any claim depending from the independent claim is not obvious. " In re Fine, 5 USPQ2d 1596 (Fed. Cir. 1988). Claims 21 and 22 depend from independent claim 8. Since the combination of Morris, Takada, and Abe does not render independent claim 8 obvious, dependent claims 21 and 22 are also not obvious in view of Morris, Takada, and Abe.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Deposit Account No. 05-0225.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.